

**Congress of the United States**  
**Washington, DC 20515**

January 6, 2012

Colonel William J. Leady  
District Engineer  
U. S. Army Corps of Engineers, Sacramento District  
1325 J Street  
Sacramento, CA 95814

Dear Colonel Leady,

In the late 1990's, the Sevier County Special Service District Number #1 (SCSSD) proposed the upgrade and realignment of an existing road along the Quitcupah Creek Road<sup>1</sup>. The proposed upgrade and realignment would connect Sevier County Road #010 with SR-10 in Emery County. Land ownership along the corridor is a combination of private, US Forest Service (USFS), Bureau of Land Management (BLM), and the State of Utah School and Institutional Trust Land Administration (SITLA) lands.

The presence of federally-owned land prompted extensive environmental review and analysis. Both the BLM and the USFS have completed these review processes, as mandated by the National Environmental Policy Act (NEPA). The Forest Supervisor for the Fishlake National Forest and the Richfield Field Office Manager for the BLM each issued favorable Records of Decision in 2006, making Forest Service and BLM rights-of-way 100 percent ready for project implementation<sup>2</sup>.

Project implementation and completion is important to the local, state, and national economy. According to the USFS and BLM planning documents, "The road project would enhance the immediate competitive productivity of the SUFCO Mine, a source of economic stability for Sevier County, a potential source of additional income and revenue for Emery County, and a source of high quality coal for electrical power generating plants in eastern Utah and the Midwest<sup>3</sup>."

However, the project was dropped in the spring of 2007 due to financing and other extraneous issues. Recently, circumstances have changed, the project has been resurrected, and construction is targeted to begin on April 4, 2012.

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<sup>1</sup> Record of Decision: The Quitcupah Creek Road Final Environmental Impact Statement (March 9, 2006).

Retrieved from

[http://a123.g.akamai.net/7/123/11558/abc123/forestservic.download.akamai.com/11558/www/nepa/3140\\_FSPLT1\\_014732.pdf](http://a123.g.akamai.net/7/123/11558/abc123/forestservic.download.akamai.com/11558/www/nepa/3140_FSPLT1_014732.pdf)

<sup>2</sup> Id.

<sup>3</sup> Id.

We understand that additional United States Army Corps of Engineers (USACE) review is required before project construction can begin. USACE directives require an additional, independent NEPA analysis – focusing only on the Waters of the United States – before a Section 404 permit can be issued and road expansion and upgrade can begin. We are pleased to know SCSSD and USACE have been engaged in these discussions since the fall of 2010.

Given the importance of this project to local, state, and national economies, we urge the final stages of USACE's review process to be executed in an effective and efficient manner. Adhering to the timeframe outlined in the December 16, 2011 conference call between USACE Bountiful staff, Congressional staff, and other stakeholders would facilitate existing construction timelines. Meeting these timelines is critical to job creation, economic development, and energy security – all goals shared by my office and the Administration.

Again, thank you for USACE's continued coordination and communication with the stakeholders and our staff. USACE's hard work and attention to this matter is greatly appreciated.

Sincerely,

A handwritten signature in blue ink, reading "Jason Chaffetz".

Jason Chaffetz  
Member of Congress

A handwritten signature in blue ink, reading "Orrin Hatch".

Orrin Hatch  
United States Senator